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Bill Criminalizing False Statements to Law Enforcement Officers Wins Final Passage

Dover – A bill championed by Attorney General Beau Biden and a bipartisan group of lawmakers that will create a felony offense of providing false information to law enforcement officers passed the House late yesterday and is on its way to the Governor.

Under Senate Bill 209, sponsored by Sen. Bruce Ennis, Rep. Larry Mitchell, Sen. David Lawson and Rep. Biff Lee, individuals who purposefully provide false information to police investigating a crime would be guilty of a Class G felony under the legislation and face the penalty of up to two years in jail.

The federal government and other states have laws that punish those who lie to police officers. This legislation adds to Delaware's existing false reporting law by making it a crime to knowingly provide a false statement to law-enforcement in order to prevent, hinder or delay an investigation.

"I want to thank the former police officers who serve in the General Assembly for their leadership in sponsoring and securing the passage of this needed legislation," Attorney General Biden said. "Law enforcement has to use its limited resources as effectively as possible to fight crime and prosecute offenders. This bill gives us an additional tool to hold those accountable who mislead officers in their pursuit of the truth."

Sen. Ennis, D-Smyrna, hopes people will think twice about lying to police and prosecutors during an investigation.

I like the fact that we're tailoring this to fit the crime instead of using a one-size-fits-all approach," said Ennis, a former state police officer. "The problem of people making false statements, for whatever reason, seems like it's been around as long as there's been crime. But I hope this makes people decide against making a false statement."

A retired New Castle County Police officer, Rep. Mitchell said that the new law would help police officers gather truthful information to solve crimes.

"When police are investigating a crime, any misstep can be critical. If someone lies to police and sends them down the wrong path, an innocent person could be drawn into the investigation, or police might not catch the criminal," said Rep. Mitchell, D-Elsmere. "If a person intentionally lies to police, law enforcement needs to have the ability to hold them accountable. My hope is that this new

charge not only catches those who make false statements, but it also prevents others from making the same mistake. The end goal is fewer false statements, which will help police do their jobs more effectively.”

Having experience in receiving false information in investigations, people who give that information were never held responsible. Now they can be. This bill will help expedite the process by bringing them to court quicker and protecting would-be victims. The longer a criminal is at large, the more victims are generated,” said Senator David Lawson, R-Marydel, a retired state trooper.

Rep. Lee, R-Laurel, stated, “I am proud to be a prime sponsor of this important legislation. It’s a bill that is overdue and one that I believe will go a long way toward assisting law enforcement with their investigations. As a former State Police officer, I see the value in providing law enforcement with the tools that are needed in order to fight against anything that would obstruct justice. I applaud Senator Ennis and Rep. Mitchell for taking the lead on this legislation and I look forward to working with them and the Attorney General’s Office in getting the bill signed into law.”

SB 209 was introduced on April 25 and passed the Senate on May 17.

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